

Summary

This thesis deals with selected issues in sanctioning of legal persons. In particular, it focuses on sanctions applicable to legal persons under the act on criminal liability of legal persons.

I selected this topic since I am interested in criminal law, especially in criminal liability of legal persons. I decided to focus on sanctioning of legal persons, or more precisely on selected issues thereof, since there are many reasons why this topic is subject of passionate discussions about the act.

Based on theoretical and practical findings, this thesis aims to analyze whether the current state of law in the area of sanctioning of legal persons in the act on criminal liability of legal persons is perfect and fully sufficient, or whether it requires amending.

The preface introduces the topic of sanctioning of criminal persons and the structure and the main goals of this thesis. Subsequently, the thesis is divided into seven chapters.

The first chapter deals with theoretical issues. It covers different approaches to sanctioning of legal persons throughout Europe and key arguments both in favor and against the introduction of new regulation of sanctioning of legal persons in the Czech Republic.

The second chapter covers basic provisions of sanctioning of legal persons in the act on criminal liability of legal persons. In particular, the chapter provides a brief introduction to the structure of the act, its legal aspects and related problems.

The third chapter focuses on the issue of variability of the sanction system, the term “punishment” and the purpose of sanctioning of legal persons. Subsequently, it presents the particular groups of sentences under the act on criminal liability of legal persons. Similar interpretation of the term “protective measure” follows.

The fourth chapter thoroughly analyzes each particular sanction under the act on criminal liability of legal persons. The analysis points out defects, or imperfections in terms of legal theory, of the current state of regulation of these sanctions and its possible solutions *de lege ferenda*. This chapter also reviews the application of this act with respect to jurisprudence of Czech courts.

The fifth chapter first compares the Czech regulation of sanctioning of legal persons with the Austrian one, and afterwards, with the Slovak act on criminal liability of legal persons which shall become effective as of 1 July 2015.

In the sixth chapter, the general analysis of application of the act on criminal liability of legal persons is to be found along with the prognosis of its future, in particular based on statistical data regarding sanctioning of legal persons provided by the Ministry of Justice.

The last chapter presents the nature of the criminal record of legal persons and its theoretical deficiencies and practical use.

This thesis is concluded by a summary of findings reached in the course of the thesis and conclusions derived therefrom.